

## List of Requested Waivers

### SECTION 5.8 OF THE BYLAW

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#### 5.8 Wireless Communications Facilities

MAY 29 2019

PLANNING BOARD  
GRAFTON, MA

#### 5.8.6 General Requirements

- 5.8.6.1 Any principal part of the facility (excluding guy cables) shall be setback from the nearest property line by a distance of twice the height of the facility (as measured to its highest point, including antennae, etc.), or a distance of three hundred feet (300'), whichever is greater.**

As evidenced by the Plans, The Monopole will be setback a distance of 143', 154' and 177' respectively to the nearest property lines. The perimeter fence of the 75' X 75' compound will be setback a distance of 101.5 , 103' and 124'7" respectively from the nearest property lines. Pursuant to Section 5.8.10 of the Bylaw, the Applicants respectfully request a waiver from strict compliance with the terms of Section 5.8.6.1 of the Bylaw as the unusual shape of the lot, combined with Flood Zone areas and wetland locations, prevents placement of the Monopole in an area which complies with this provision of the Bylaw.

- 5.8.6.2 Any principal part of the facility (excluding guy cables) shall be setback from the nearest residential structure by a distance of twice the height of the facility (as measured to its highest point, including antennae, etc.), or a distance of three hundred feet (300'), whichever is greater.**

As evidenced by the Plans, the Monopole will be setback a distance of 233' from the nearest residential structure. Pursuant to Section 5.8.10 of the Bylaw, the Applicant respectfully request a waiver from strict compliance with the terms of Section 5.8.6.1 of the Bylaw as the unusual shape of the lot prevents placement of the Monopole in an area which complies with this provision of the Bylaw.

- 5.8.6.10 Dish antennae shall be no more than six (6) feet in diameter, and shall be mesh (rather than solid). Panel antennae shall be no more than five (5) feet in height.**

The Applicants respectfully request a waiver from strict compliance with this provision of the Bylaw as antenna sizes vary from carrier to carrier and change with advances in technology.

- 5.8.6.13**      **Landscaping shall be provided around the base of the facility, adjacent to a security fence at least six feet (6') in height. The landscaping shall consist of a planting strip at least 25 feet wide, with ground cover and/or grass, and shall include at least one row of six-foot (6') high evergreen trees adjacent or proximate to the fence, and a row of deciduous trees at least ten feet (10') in height and at least one and-one-half-inch (1 1/2") caliper planted no more than 20 feet apart on center, and deemed acceptable by the Board. Applicants may substitute alternative landscape plans that meet the purposes of this subsection to limit the visual impact of the lower portion of the tower and adjoining accessory facilities for the Board's consideration.**

The Facility will be enclosed by an six foot (6') high chain link fence. The Applicants respectfully request a waiver from strict compliance with the terms of this provision of the Bylaw as the Site is significantly screened from view by existing vegetative growth and that additional landscaping is unnecessary. The Applicants will work with the Board to achieve a mutually agreeable design and will comply with any reasonable conditions pertaining to screening which may be attached to a favorable decision.

## **SECTION 13.3 OF THE BYLAW**

### **1.3.3            Site Plan Review**

- 1.3.3.1            For the purpose of assuring proper drainage, screening, safe access, adequate parking and loading spaces, public convenience and safety, adequate consideration of abutting land owners and compliance with the provisions of this By-Law, a Site Plan shall be submitted as required by this By-Law for all uses other than (a) those specified in Section 1.3.2.3., and (b) those uses for which a Master Plan Approval has been issued by the Planning Board pursuant to the provisions of Section 9 of this Zoning By-Law, in which case, project plan approval shall be required as specified in Section 9.**

The Applicants respectfully assert that they have provided Plans and materials of sufficient detail to the Board for the Board to make an informed decision. To the extent that the Plans do not satisfy a particular requirement, the Applicants request any waivers.

- d.) **A Site Plan prepared by a professional architect or registered professional engineer, at a scale of one inch equals forty feet (1" = 40'), or at such other scale as may be necessary to show all detail clearly and accurately. Sheet sizes shall not exceed twenty-four inches by thirty-six inches (24" x 36"), and shall not be less than eleven inches by seventeen inches (11" x 17"). If multiple sheets are used they shall be accompanied by an index sheet showing the entire parcel at an appropriate scale. If the plans submitted are 11" x 17" in size, a total of twenty-five (25) copies of the plans shall accompany the application. If the plans prepared exceed 11" x 17" in size, a total of five (5) copies of such plans and twenty (20) sets of reduced-size copies (11" x 17") shall be submitted.**

- (8.) **Locus Map (scale of 1"=1,000') and north arrow;**

The Plans provide a scales of 1" = 80', 1" = 50', 1" = 40', and 1" = 20'. To the extent the scale does not strictly comply with this provision of the Bylaw, the Applicants respectfully request any waivers.

- (10.) **Wetlands, Ponds, Streams, or other water bodies, including an applicable buffer zones;**

Not applicable. To the extent that the Plans do not satisfy a particular requirement, the Applicants request any waivers.

- (11.) **Ownership of all abutting land and approximate location of buildings, driveways, and parking areas thereon within a maximum distance of two hundred feet (200') of the property lines;**

Please refer to the Plans, Survey Sheet and the Assessor Map submitted herewith. The Applicants respectfully assert that they have provided Plans and materials of sufficient detail to the Board for the Board to make an informed decision. To the extent that the Plans do not strictly comply with this provision of the Bylaw, the Applicants request any waivers.

- (12.) **Existing and proposed topography at two-foot (2') elevation intervals;**

Please refer to Sheets C-2.1 of the Plans submitted herewith. The Plans illustrate topography in the area of the Monopole as well as the access. The Applicants respectfully assert that they have provided Plans and materials of sufficient detail to the Board for the Board to make an informed decision and that a full illustration of all existing topography on the Site is unnecessary given the scope of this project. To the extent that the Plans do not strictly comply with this provision of the Bylaw, the Applicants request any waivers.

- (14.) Extent and type of all existing and proposed surfaces (pervious and impervious) on the property, including specific materials;**

Please refer to Sheets C-1.2 and C-2.2 of the Plan submitted herewith. To the extent that the Plans do not strictly comply with this provision of the Bylaw, the Applicants request any waivers.

- (15.) Lot coverage calculations showing percentage of buildings, percentage of pavement, and percentage of open space/ landscaped areas;**

The proposed fenced compound will occupy an area of about 5,625 square feet on a lot of approximately 25,900 square feet. The Applicants respectfully assert that they have provided Plans and materials of sufficient detail to the Board for the Board to make an informed decision and that coverage calculations on a lot of this size are unnecessary given the scope of this project.

- (17.) Calculations of the volume of earth material to be removed or filled on the property, and delineation of the location(s) of such activity;**

There will be no large scale removal of earth from the Site or filling on Site as a result of the Applicants' Facility. The Applicants respectfully assert that they have provided Plans and materials of sufficient detail to the Board for the Board to make an informed decision and that volume of earth calculations are unnecessary given the scope of this project and request any waivers.

- (25.) Stormwater management facilities (drainage);**

Please refer to Note 7 on Sheet C-1.1 of the Plans. The Applicants respectfully assert that they have provided Plans and materials of sufficient detail to the Board for the Board to make an informed decision and that provision of a stormwater management is unnecessary given the *de minimis* increase in the amount of impervious scope of this project. To the extent that the Plans do not strictly comply with this provision of the Bylaw, the Applicants request any waivers.

**(29.) Provisions for dust and erosion control;**

See Sheet C-2.1 of the plans. The Applicants respectfully assert that they have provided Plans and materials of sufficient detail to the Board for the Board to make an informed decision and that provision for dust and erosion control is unnecessary given the fairly level terrain in the area of the Monopole and the scope of this project. To the extent that the Plans do not strictly comply with this provision of the Bylaw, the Applicants request any waivers.

**e.) A stormwater management hydrological study prepared in accordance with the Rules and Regulations Governing the Subdivision of Land: Grafton, Massachusetts (Sections 3.3.3.19 and 4.7.8).**

Please refer to Note 7 on Sheet C-1.1 of the Plans. The access extension to the Facility and the fenced compound area will be lined with crushed stone, keeping impervious surfaces to a minimum on the very large parcel. The Applicants respectfully assert that they have provided Plans and materials of sufficient detail to the Board for the Board to make an informed decision and submission of a stormwater management study is unnecessary given the scope of this project. To the extent that the Plans do not strictly comply with this provision of the Bylaw, the Applicants request any waivers.